

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LAURA M. WELK,

Plaintiff,

v.

CAROLYN W. COLVIN,
Commissioner of Social Security,

Defendant.

No. CV-12-0507-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated Motion for Remand of the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 18. Attorney Paul L. Clark represents Plaintiff; Special Assistant United States Attorney Thomas M. Elsberry represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 3. After considering the file, and proposed order,

IT IS ORDERED:

1. The parties' Stipulated Motion For Remand, **ECF No. 18**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the administrative law judge (ALJ) shall: (1) provide Plaintiff with an opportunity for a new hearing, including the opportunity to testify and submit additional evidence and argument, and enter a new decision; (2) address the

1 severity of Plaintiff's migraine headaches and other impairments at step two; (3)
2 further evaluate Plaintiff's mental impairments pursuant to the special technique in
3 20 C.F.R. § 404.1520a; (4) obtain medical expert testimony regarding the nature
4 and severity of Plaintiff's mental and physical impairments and the limitations that
5 could reasonably result from her combined impairments; (5) reassess Plaintiff's
6 maximum residual functional capacity in accordance with Social Security Ruling
7 (SSR) 96-8p, and in so doing, further evaluate the medical and other opinion
8 evidence, including the opinions of John Robinson, Ph.D., (Exhibit 19F) and the
9 Veteran's Administration rating decision (Exhibit 19E) in accordance with 20
10 C.F.R. § 404.1527 and SSRs 96-2p, 96-5p, 96-6p and 06-03p; and (6) if the
11 sequential evaluation process proceeds beyond step three, reevaluate steps four and
12 five of the sequential evaluation with the assistance of a vocational expert (VE).

13 2. Judgment shall be entered for **PLAINTIFF**.

14 3. Plaintiff's Motion for Summary Judgment, **ECF No. 12**, is
15 **STRICKEN AS MOOT**.

16 4. An application for attorney fees may be filed by separate motion.

17 The District Court Executive is directed to enter this Order, forward copies
18 to counsel, and **CLOSE THE FILE**.

19 DATED December 16, 2013.



JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE